

**Department of Health & Human Services
Public Health Service
Indian Health Service**

Refer to: IHM

**Bemidji Area
Indian Health Service Circular No. 01-06**

Training Policy

SEC.

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1. PURPOSE

The purpose of this circular is to establish Bemidji Area Office Indian Health Service (BAOIHS) policy for training. This policy is intended to clarify the responsibilities of the applicant or trainee, the supervisor, official Area and Program Offices and will set forth guidelines for the planned process used to increase the knowledge, proficiency, ability, skills, and qualifications employees need to perform their official duties as well as general skills needed to perform the mission of the IHS.

2. POLICY

It is the policy of the Bemidji Area Indian Health Service to develop its employees through the establishment and operation of progressive and efficient training programs, thereby improving public service, increasing efficiency and economy, building and retaining a workforce of skilled and efficient employees, and installing and using the best modern practices and techniques in the conduct of government's business while using the most economical means available to satisfy needs for performance improvement and to provide quality customer service and health care to American Indian/Alaska Native people.

It is the policy of the Bemidji Indian Health Service to:

- (1) Utilize human resource developmental programs as a means of meeting its need for a skilled workforce.
- (2) Achieve the maximum benefit from all resources expended on training and development.
- (3) Provide mission-related training and development to its employees as a means of developing and maintaining a competent, efficient workforce that can respond rapidly and effectively to a changing mission.
- (4) Ensure that employees are informed of and are encouraged to take advantage of opportunities for career development, training, and other developmental and learning experiences.
- (5) Cooperate with other HHS Operating Divisions and Federal departments in providing interagency training programs to the Federal work force.

- (6) Ensure linkage between performance management systems, human resource development, and training programs by using the performance management process as a basis to identify training and organizational needs as well as to plan developmental activities.
- (7) Refrain from using training to qualify an employee for a position that requires an academic degree or solely to obtain a degree, unless the degree training is for a shortage category specified by the Director, IHS. All regulatory requirements must be followed before degree training can be approved. (Individuals covered under P.L. 94-437 scholarship programs and Section 118 nursing programs are not covered under this prohibition.)
- (8) Encourage supervisors, managers and executives to support individual self-development within their organizations.
- (9) Use HHS, IHS, and other Government employees to provide training whenever possible and to their fullest possible extent.
- (10) Encourage the development of a cadre of trained facilitators, trainers, and organization development practitioners within local service units and Area Offices to provide organizational development and training services on a local scale.
- (11) Coordinate and manage the broad development of human resources IHS-wide, and to provide technical assistance and consultation to tribally operated health programs.
- (12) Require that all training requests must be approved before the start of training. Exceptions are allowed for very few and specific circumstances (see "Retroactive Approval of Training," Section 7-4.3).
- (13) Require that all team leaders, supervisors, managers and executives take at least 80 hours of training in the first year and at least 40 hours of training in subsequent years. All training must be of a supervisory, managerial or leadership nature to qualify under this requirement.
- (14) Ensure that long-term training is the most cost-efficient and most beneficial approach to training (for civilians and commissioned officers). If long-term training is deemed as necessary, then all eligible employees must be considered for such training. All long-term training must be approved by the Director, IHS, or a designee.

3. DEFINITIONS

- A. **Training** -Training is a planned process used to increase the knowledge proficiency, ability, skills, and qualifications employees need to perform their official duties as well as general skills needed to perform the mission of the IHS. Training includes activities that support and improve individual and organizations performance and effectiveness, such as on-the-job training; career development programs; professional development activities; developmental, rotational or shadow assignments; distance learning; or electronic/computer-based instruction.
- B. **Full-Time Training** – Full-time training is training that is the only assignment of an employee during one or more work days or corresponding days of leave granted solely for the purpose of obtaining training.
- C. **Part-Time Training** – Part-time training is training to which an employee is assigned less than 8 hours a day, with the employee reporting to the work site either before or after the training to complete the 8-hour work day.
- D. **Long-Term Training** - Long-term training is training where an employee is permitted to attend training course(s) off site on a full-time basis in excess of 120 consecutive days.
- E. **Continue-in-Service Agreement** -Continue-in-Service Agreement is a document that each employee is required to sign when a particular training course or developmental program is in excess of 80 hours in length. In such cases, the employee agrees to remain employed with IHS for a duration of three times the length of the training. This applies to all training and development programs (Commissioned Officers have a "two for one" pay back obligation).

4. DETERMINING TRAINING AND ORGANIZATIONAL NEEDS AND DEVELOPING ORGANIZATIONAL TRAINING PLANS

The Area Director will conduct an annual survey to determine the employee and organizational training needs and develop the Organizational Training Plan.

The Annual Training Plan will include the types of training needed, the number of employees needing each type of training and the relative priority given to each type of training.

5. SHORT-TERM TRAINING**A. Civil Service Employees**

Although defined as full time training of 120 days or less for Civil Service employees, the IHS may approve short-term training of only 60 days or less in non-government facilities.

Management is responsible to plan for training needs of the organization and to make the decisions as to what and where training will be authorized for each employee. The choice of facilities in order of priority is between IHS Training Centers, other Government facilities, and non-government training facilities.

Government regulations (FPM 410-30, 5-4b) state that no employee with less than one year of current, continuous Civil Service is eligible for training in non-government facilities unless the Area Director (DHEW 410-1-100) waives the limitation and his action is recorded on DHEW Form 350, Training Nomination and Authorization, showing the basis of the waiver and his signature.

(1) Selection Criteria for Trainees

The selection of IHS employees for training shall be based on the needs of the Agency for qualified personnel and the career development plans of the employee as established jointly between the employee and the supervisor. The process of selection for training shall function within the Merit Promotion Program. The following may be considered in selecting from among those who might be trained (Ref. FPM Chapter 410, subchapter 3-2).

- a. Indian preference and equal employment opportunity.
- b. Agency need for development of specialty skills where deficiencies exist.
- c. Lack of opportunity and accessibility to training and educational institutions by field employees because of the absence of such institution near field locations.
- d. Initiative and responsibility demonstrated by the candidate's pursuit of past training on his/her own time.
- e. The relative extent to which employees knowledge, skill, attitudes or performance are likely to be improved by training.
- f. The relative ability of employees to pass the training on to others upon return to the job.
- g. The relative length of time, and degree to which, the agency expects to benefit from the employee's improved knowledge, skills, attitudes and performance.
- h. Training opportunities previously afforded employees by the agency.
- i. The employee's own interest in and efforts to improve their work.
- j. The employee's qualifications in relation to established IHS prerequisites for training.

(2) Applying for Training

All training requests must be approved before the start of training.

HHS 350, "Training Nomination and Authorization"(ARMS IHS 844), will be used for enrolling Civil Service employees for training. Where several names are submitted by the same area or comparable organization, they must be consolidated in a single application. The employee skill profile, references, and other information may be attached to support the Form 350.

All costs of training, other than salary, will be shown on the Training Nomination and Authorization to indicate the cost per student. Every effort should be made to identify

separately those parts of the student costs which represent the costs of books and supplies, administration, and direct tuition costs.

The Employee Agreement to Continue in Service Appears on the back of the original Form HHS 350 and will be completed only for non-government training programs of more than 80 hours (when paid for by the government). For training taken while in pay status, the agreement will be for a period equal to the length of the training, or one month, whichever is greater. (See Section 11)

The recommending official of a training request will normally be a supervisor although Training Officers or Personnel Officers may also recommend training. All requests will be processed through the supervisor, through review levels, to the authorizing official. All requests for more than 40 hours training should have at least two signatures (a recommending official and an authorizing official).

(3) Authority to Approve Training

IHS Delegation of Authority dated 4/22/76, delegates to Area and Program Directors and certain other officials the authority to authorize training in government and non-government facilities for periods not to exceed 60 days. Note that two signatures of approval are required on Form 350 for all training in excess of 40 hours.

For full time training at non-government facilities in excess of 60 days, follow the instructions for long-term training.

The signature of the authorizing official signifies that the training requested has been reviewed for compliance with law. Approval of the authorizing official must be obtained prior to the commencement of any training.

(4) Authorized Training Expenses

Expenses appropriate to temporary duty may be authorized plus direct course costs such as tuition, fees, and training materials.

(5) Attendance and Leave

Use normal temporary duty procedures for those employees on detail.

(6) Clearance Action

The following procedures must be adhered to in clearing HHS Form 350 for use:

- a. The request for training is initiated or initially approved by the employee's immediate supervisor. After endorsement by the required concurring official (s), the nomination is forwarded on to the financial official for determination of funds availability, then forwarded on to the approval official for action.
- b. Before initiating a request, the supervisor must determine that:
 - (i) The training need is valid.
 - (ii) The proposed method of meeting the need is the most economical and effective means of achieving the desired result.
 - (iii) The necessary funds and/or other resources required for the training are available.
- c. Nominations for training are forwarded to the approving official for legal, regulatory, and policy compliance review.
 - a. Nominations for training that are not in compliance with law, regulation, or the policies of the agency will be returned to the initiating official with an explanation.
 - b. In cases concerning the job relatedness or mission-relatedness, the initiating supervisor will make the initial determination that the training is required for performance of official duties, but the approving official must make the final determination that documentation clearly supports job and/or mission-relatedness.

(7) Retroactive Approval of Training

It is the IHS policy that all training requests must be approved BEFORE an employee begins training. The following exceptions apply:

- a. When at no fault of the trainee, an “administrative error” took place in the organization.
- b. When an employee would like to document training in the OPF that was self-sponsored and on personal time.
- c. When an employee attended a short briefing (at least 3 hours in length) on a subject matter germane to official duties or the mission of the agency to document attendance at the briefing in the OPF.

(8) Payment of Training Expense

IHS organizations are authorized to pay all or part of:

- a. Salary, pay, and compensation excluding overtime, night, holiday, or Sunday work
- b. Travel, per diem, and subsistence in accordance with the Joint Federal Travel Regulations, HHS Travel Manual Chapter 1-90, and 5 CFR 630
- c. Tuition, library, and laboratory services; purchase or rental of books; materials; supplies; and other expenses directly related to training. Payment for tuition and related fees will always be made directly to the training institution.
- d. In the case of university and college courses taken on an individual or aggregate basis, employees are required to earn a passing grade in each course (passing grades would be a “C” for undergraduate, a “B” for graduate). Original grade reports are to be submitted to the servicing personnel office for certification of completion. If the employee did not receive a passing grade or failed to complete the course without approval, he/she will be required to reimburse IHS for all materials and tuition costs associated with the course.
- e. The use of government credit cards for the payment of short-term training is encouraged. The following process must be followed without exception:
 - (i) Generate a DHHS Form 350 (ARMS IHS 844 or equivalent) and route for approval. In the comments section of the form note that funds will be paid via the government credit card. Also the cost of tuition, books, and other fees must be noted in total.
 - (ii) After approval, the trainee must follow the established government card procedures to register and pay for the training.
 - (iii) All training requests must be submitted to the delegated approving official prior to the obligation. No training will be approved after the fact.
 - (iv) Courses acquired with personal funds will not be reimbursed. The use of the Government credit card should eliminate the need to use personal funds.
 - (v) ANY travel voucher (local or otherwise) submitted to get reimbursement of personal funds for training will not be approved.
 - (vi) When the credit card holder submits the credit card bill for payment, the training form number and the name of the trainee must be noted next to the charge amount. This will assist in expediting proper payment.
 - (vii) These instructions do not apply to scholarship recipients under the Indian Health Care Improvement Act (P.L. 94-4371, which would also include nursing students under Section 118.

(9) Exceptions

The following three exceptions apply to payment of training expenses:

- a. Area Offices and Service Units are not authorized to pay the costs of training when such training is undertaken by the employee as part of his/her own plan of self-development for the express purpose of obtaining a degree to raise his/her educational level, if these

objectives will not benefit the sponsoring organization, and the training is not related to the official duties of the employee or the mission of the agency.

- b. Training expenses do not include membership fees except to the extent that such fees are a necessary cost directly related to the training itself or that payment of membership fees is a condition precedent to undergoing such training.
- c. This IHS may pay for an employee to sit for licensure examinations, and for courses that are refresher or preparatory in nature for licensure, if it is in the best interest of IHS.

A. Short-Term Training – Commissioned Corp Officers

Although defined as courses of training that does not exceed seven semester hours or 90 consecutive calendar days for officer, the IHS may approve short-term training in non-government facilities of only 60 days or less.

(1) Applying for Short-Term Training

Use Form PHS-1122-1, Application for Training for PHS commissioned Personnel Commissioned Officer. Candidates for short-term training should complete Part I (Items 1-17), sign and forward to supervisor.

(2) Authority to Approve Training

The applicant's supervisor approves or disapproves the request by his signature on item 22 of PHS-122-1, forwarding it to the Area Training Officer for coordination and endorsement on item 23. The Area Director may approve, on item 24, short-term training up to 90 days in government facilities and 60 day in non-government facilities. Applications for longer periods, endorsed by the Area Director, should be sent to the Human Resources Development Branch for processing.

(3) Authorized Training Expenses

Expenses appropriate to temporary duty may be authorized plus direct course costs such as tuition, fees, and training materials.

(4) Attendance and Leave Use normal temporary duty procedures.

6. LONG-TERM TRAINING/FULL-TIME TRAINING (40 HOURS A WEEK) IN EXCESS OF 120 DAYS.

BAOIHS recognizes long-term training as a unique situation that maximizes the learning opportunity for selected employees with high potential. It may be viewed as an investment in the future and strength of the agency. Generally, long-term training will be used when:

- (1) A needed set of knowledges or skills requires a comprehensive study program that could not be accomplished by a series of unconnected short-term courses.
- (2) The time span for acquisition of the knowledge or skill is such that a concentrated long-term program is most feasible.
- (3) The set of knowledges or skills is so complex, so new or otherwise unavailable that it could not readily be obtained on a short-term basis.

The following policy and procedures apply to all long-term training (civil service and commissioned corps personnel) IHM 7-4.8:

A. Policy:

- (1) The Director (or designee) is the only official who can approve long-term training (The Director, Division of commissioned Personnel approves commissioned officers).
- (2) Long-term training is to be used only when it is the most cost-effective means to meet IHS needs. A justification must be made that long-term training is the only means by which employees may obtain needed skills. It is not to be used as an award to an individual

employee to improve their educational status, nor to reassign non-productive or unsatisfactory employees out of the organization for a period of time.

- (3) Long-term training may not be used solely to obtain an academic degree or qualify for a position that requires a degree unless it is necessary to assist in the recruitment or retention of employees in shortage occupational categories.
- (4) Long-term training must be a competitive process. All IHS employees who might qualify for long-term training must receive equal opportunity for consideration.
- (5) All long-term training is to be advertised at least 30 days Area-wide or IHS-wide to include all eligible employees.
- (6) Performance plans for employees on long-term training must be modified in accordance with IHS performance management requirements.
- (7) A Continue-In-Service Agreement is required of all employees on long-term training. **The IHS will take all available means at its disposal to collect funds due the government in the event of default of the service obligation.
- (8) Long-term training is for full-time equivalent employees presently employed by the IHS.

B. Procedure

When processing a request for long-term training, the following procedures must be followed before an individual nominee can be considered for approval by the Area Director:

- (1) Before considering whether long-term training is appropriate:
 - a. A written request to the Director, DHR, must be drafted from the Area Director requesting review and approval to advertise a long-term training opportunity 120 days before the start of the program. The request must include:
 - (i) The purpose of the training and the rationale that long-term training is the best solution. A comparison of other options must be included.
 - (ii) A copy of the proposed curriculum or list of courses in the program.
 - (iii) All costs associated with the program
 - (iv) An explanation of how this training will be used to further the mission of the IHS and the sponsoring organization or program
 - (v) A copy of the proposed long-term training announcement.
- (2) When a selection is made for the long-term training opportunity, the following procedures must be followed:
 - a. To provide adequate processing time and enable participants to complete arrangement for long-term training on a timely basis, nominations (HHS Form 350 or equivalent for civilians and PHS 1122-1 for commissioned corps officers) should be submitted to the Director DHR, through appropriate management channels and the serving personnel officer, at least 60 days in advance of training. The nomination package must include:
 - (i) A letter requesting approval for the individual to attend the long-term training program.
 - (ii) A copy of the long-term training announcement that was used.
 - (iii) A HHS Form 350 (or ARMS equivalent) or PHS – 1122-1 to be signed by the Director, IHS, or Director, DCP, respectively.
 - (iv) A copy of the nominee's SF-171, curriculum vitae, or resume.
 - (v) A copy of the actual curriculum or developmental activities in the program.
- (3) The nominee must not make a commitment related to long-term training until the training request has been officially approved. If arrangements are made and monies expended by the nominee before submitting the request and the request is disapproved, the cost incurred will be borne by the nominee.

(4) No long-term training request will be approved retroactively.

B. Eligibility Criteria An employee must meet the following criteria in order to be eligible for nomination to the Long-Term Training Program:

(1) Length of Service A nominee must have at least three years of current continuous civilian service in the Federal Government to be eligible for long-term training unless the Assistant Secretary for Health (ASH) or PHS agency head or his designee, determines that postponement of the training would be detrimental to the achievement of the organizational mission. Commissioned officers must have two years of service prior to the start of training to meet the requirement for long-term training in a non-government facility.

(2) Grade Average A nominee who has pursued post-secondary coursework should have maintained at least a 2.0 cumulative grade point average on a 4.0 rating scale. In the event an employee has not achieved the above average, the nominating official must indicate in Item 18 of Form PHS 6048 how the candidate has demonstrated the ability to satisfactorily complete the training.

C. Choice of School or Program of Study

More than one choice of schools may be shown on the application for training. Approval may be given for any of the schools shown which the applicant identifies or to other institution in the interest of the government.

Management will identify training requirements and select persons for training in light of agency needs for skills and knowledge. This management need should be discussed with employees in career counseling interviews prior to preparing an application for training. Even though a career plan may point to a given course of study the final selection for long-term training may change the primary choice or other alternatives depending on the situation.

The prospective student should obtain evidence of acceptability for admission to a school prior to preparing his application for training.

D. Selection Criteria for Long-Term Training

Among the factors to be considered in selecting employees for long-term training are:

- (1) The need to develop Indian leadership;
- (2) Relationship of the proposed training to IHS mission and goals;
- (3) Shortage categories of personnel;
- (4) Expected post-training utilization in terms of maximizing benefits of training received;
- (5) The candidate's background and experience;
- (6) Performance on present job, strong points, and interests;
- (7) Self-improvement on job and training;
- (8) Demonstrated potential and ability to assume greater responsibilities;
- (9) Length of time the agency will benefit from employee's improved knowledge, skills, attitudes and performance.

E. Documentation of Requests

All nominations for long-term training must include the following documents:

- (1) Completed Form HEW 350 (Training Nomination and Authorization).
- (2) Completed Form PHS 6048 (Long-Term Training Nomination form).
- (3) Transcript of previous academic coursework.
- (4) Evidence of acceptance by the educational institution (to be submitted upon receipt).
- (5) Position Description of current position (or post-training position, if different).
- (6) Vacancy announcements of training opportunity and Promotion Certificate when appropriate.
- (7) Copy of Rating Criteria – when appropriate (to be submitted to OPM).

F. Submitting Applications

Completed applications for long-term training of Civil Service personnel should be submitted through normal channels to the Area Training Office for review. The Training Officer will obtain the recommendation of the Area Director and will forward the application to the Human Resources Development Branch at Headquarters. Applications may be submitted at any time during the year. However, the final date for consideration of applications for the upcoming fiscal year is September 1 (i.e., To be considered for training beginning with the fall semester, the application must be received at Headquarters not later than September 1 of the preceding year).

Processing Applications = Consideration by IHS Training Committee and Approval by Director - See IHM Part 4 Chapter 6 .3E(3)f.

G. Status While in Long-Term Training

Civil Service personnel are assigned to training on temporary duty. During the period of training they continue to be carried on the rolls of the parent Area and retain a legal entitlement to the position from which they are on temporary duty, or to one of comparable grade and duties.

Commissioned personnel are transferred to the place of training on permanent change of station orders. Upon completion of training they are subject to reassignment in accordance with the needs of the Service.

During the period of their training, Commissioned personnel are charged against the Headquarters' personnel ceiling, and the responsibility for all administrative support will be assumed by headquarters except where position ceilings and resources have been specifically allocated to an Area for such proposes.

H. Pay and Allowances While in Training

(1) Pay All IHS employees on long-term training assignments remain in full pay status. They are eligible to receive within-grade increases and promotions during this period.

(2) Travel, Moving Expenses and Per Diem Allowances "The Government Employees Training Act provides that an employee undergoing authorized training away from his permanent official duty station may be authorized all or part of his pay; all or part of the necessary expenses of training; costs of his travel and per diem to and from the place of training instead of subsistence; and transportation of his immediate family and shipment of household goods when the costs of transportation and related services are less than the estimated aggregate per diem payments during the period of training."

Commissioned personnel are transferred to the place of training on permanent change of station orders and are therefore entitled to all benefits and allowances normally associated with a permanent change of station.

(3) Direct Training Expenses IHS will pay costs of tuition and required fees including books, lab fees, library fees, supplies and materials, which are course requirements.

The purchase of books for personal use, or for acquiring a reference library is not an authorized expense. Neither is the cost of such items of equipment such as typewriters, computers, dictating or recording machines, although they may be rented.

It is important that itemized receipts be obtained for authorized out of pocket expenses. Vouchering for such expenses will be handled by the office providing administrative support for the trainee.

I. Attendance and Leave while on Long-Term Training

(1) Attendance Long-term trainees are on official duty assignments and attendance at scheduled classes is expected.

(2) Annual Leave Established leave directives apply. Civil Service trainees are to report to their parent stations, or elsewhere, for duty during non-training periods. Semester breaks or other school holidays may be charged against annual leave unless the Area determines this is duty time at temporary duty station for study or other educational purposes.

Leave regulations applicable to Commissioned Corp will govern. The appropriate Headquarters Branch may assign Commissioned Officers to temporary duty during non-training periods.

(3) Sick Leave Established sick leave directives apply.

K. Computing Training Time

- (1) For full-time training, count 8 hours per day, or 40 hours per week, for the duration of the training.
- (2) For part-time training, count only the time actually spent under instruction. This excludes on-the-job training and preceptorships from consideration as training. Course announcements may serve as a guide. In the case of academic instruction, when actual hours of instruction are not apparent, it will be determined by use of the following formula:

1 semester credit hour – 12 classroom hours

1 quarter credit hour = 8 classroom hours

7. MINIMUM ATTENDANCE REQUIRED

In all courses of 15 hours or more, which do not require a passing grade by examination for satisfactory completion, an employee shall be present at least 80 percent of the time an IHS course is in session in order to be considered to have completed the training course satisfactorily, and to be eligible to receive a Certificate of Training.

8. RECOGNITION FOR TRAINING

An IHS Certificate of Training shall be issued, by the activity providing the training, to each trainee who satisfactorily completes a course of eight hours or more conducted by IHS. A duplicate copy of the certificate shall be placed in the employee's official personnel file.

9. COLLEGE OR OTHER CREDITS FOR TRAINING

For employees who are authorized to take accredited college courses it is the student's responsibility to obtain recognition and credit from the school for scholastic achievement and to see that copies are inserted in his/her official personnel file. However, the selection and assignment of an employee for training through a non-government facility for payment or reimbursement by the government of the costs of such training is prohibited either:

- (1) For the purpose of providing an opportunity to an employee to obtain an academic degree in order to qualify for appointment to a particular position for which the academic degree is a basic requirement.
- (2) Or solely for the purpose of providing an opportunity to an employee to obtain one or more academic degrees. This prohibition of training for the sole purpose of obtaining a degree does not limit authority to assign employees in non-Government facilities when the training is for the purpose of developing those skills, abilities, and knowledge which best qualify them for the performance of official duties (including credit courses). If in the accomplishment of this training an employee receives credits or an academic degree, this may be considered as merely an incidental byproduct of the training.

10. NON-COMPLETED TRAINING

For students who do not complete their authorized training, management should investigate the circumstances and take appropriate action in the interest of the Government and the trainee's career.

11. CONTINUE IN SERVICE AGREEMENT – FOR ALL TRAINING OF MORE THAN 80 HOURS IN LENGTH

Prior to the authorization of training, the Continue-In-service Agreement, which appears on the back of the first page of the DHHS Form 350 (electronic version may be used) must be completed for all training of more than 80 hours in length.

A. The agreement requires the following:

- (1) If selected to participate in training of more than 80 hours, an employee must agree, in writing, to continue to work for the IHS for at least 3 times the length of the training.
- (2) When an employee completes training of more than 80 and does not complete the continue-in-service agreement, the Servicing Personnel Office must either seek reimbursement for the training expenditures or seek approval for a full or partial waiver of the Continue-In-Service Agreement from the Director, DHR, OMS.
- (3) If an employee transfers to another Federal Government agency, the agreement is also transferred. However, if the IHS finds that the employee will not use the training in the new position, IHS must inform the employee before the effective date of the transfer of its intention to recover the appropriate amount of the agreement. See IHS Manual Chapter 4-7-4.31E(4) for further details.
- (4) If an employee voluntarily separates from the Government, he/she becomes liable for repayment of the additional expenses incurred for training covered by the agreement in proportion to the percent of the service agreement not completed. IHS may waive, in whole or in part, recovery of training expenses. The employee must submit a request in writing to the Director, DHR, through the Area Director. See IHS Manual Chapter 4-7-4.31E(4) Criteria for Granting a Waiver.
- (5) When an employee is involuntarily separated based on a reduction-in-force, repayments of training expenses are waived entirely by the IHS.

B. Restrictions on and Obligations to Continue Service

The following obligations are made mandatory, requiring completion of an Employee's Agreement to continue in service for non-Government training in excess of 80 hours.

- (1) Maximum Training in a 10-year Period

"Time spent by an employee in non-government training cannot exceed one year in the first 10-year period of his/her continuous and non-continuous civilian services in government following the date of his/her initial entrance into the civilian service and in each 10-year period of service thereafter." (FPM 410-31,5-4c(1)).

- (2) Computing Length of Continued Service

"When an employee receives pay from his/her agency during a period of training, as well as some or all of the additional expenses incurred in his/her training, the minimum period of time which he/she must agree to continue in the service of his/her agency after completion of training is three times the period of the training." (FMP 410-35,5-6b (1)).

- (3) Service in Non-Pay Status

"When an agency pays some or all of the additional expenses in an employee's training, but the employee receives no pay, ...reduce the period of obligated to one month, or to a period covered by the payment, whichever is greater." (FPM 410-35, 5.6b(2)).

- (4) Recovery of Funds

"Unless repayment is waived, either in whole or in part, an employee who fails to fulfill his continued service agreement is required to pay to the Government a sum equal to the additional expenses incident to the training exclusive to his pay." (FPM 41-37, 537c)).

C. Waivers of Limitation on Non-Government Training

The procedures for obtaining waivers of the obligated service prescribed in paragraph (d) preceding; are set out in DHEW Personnel Instruction 410-1-100, Federal Personnel Manual Chapter 410, and FPM Letter 410-13 dated October 12, 1973.

12. TRAINING FOR COMMISSIONED CORPS PERSONNEL WHO ARE ON ACTIVE DUTY WITH THE INDIAN HEALTH SERVICE OBLIGATIONS**A. In-Service (Intramural) Training**

An officer incurs no obligation to remain on active duty because of intramural training received in a PHS hospital or facility. However, when an intramural training program includes one or more periods of extramural training (i.e., training received in a non-PHS facility), the officer will be obligated to remain on active duty for six months or twice the total period of extramural training, whichever is greater, subject to the following limitations:

- (1) If the total period of extramural training is less than 30 days – the officer is not obligated to remain on active duty.
- (2) For extramural training which involved no payment of tuition and fees, only the period of such training which exceeds one year will be included in the computation of the officer's active duty service obligation.
- (3) An officer's active duty service obligation shall exceed two years.

B. Out-of Service (Extramural) Training

An officer who receives Service support for full-time extramural training is required to remain on active duty subsequent to the training period as follows:

<u>Period of Training</u>	<u>Required Active Duty Service</u>
30 days or less	None
More than 30 days but Less than 3 months	6 months
3 months or more	Twice the period of training not to exceed 2 years

C. Waivers of Service Obligations

See PHS Commissioned Corps Personnel Manual, Sub-Chapter CC25.2, Personnel Instructions 2 and 3.

Kathleen Annette, M.D. _____
Director Date
Bemidji Area Indian Health Service